

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

CARLOS DWIGHT POSEY,

Plaintiff

VS.

CHARLES NEWFIELD,

Defendant.

Case No. 2:08-cv-00401-AKK-HGD

SUMMARY JUDGMENT ORDER

In accordance with the Memorandum Opinion entered contemporaneously herewith, it is hereby ORDERED, ADJUDGED, and DECREED that defendant Newfield's motion for summary judgment as to the plaintiff's Fourth Amendment excessive force claim against him is DENIED.

Defendant Newfield is hereby ORDERED to file an answer within twenty (20) days of the entry date of this order.

DONE this 12th day of March, 2010.

Abdul Kallam

ABDUL K. KALLON
UNITED STATES DISTRICT JUDGE